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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)

Docket Number (Optional)

G-166

First Named Inventor: J. Raymond Glover

Art Unit: 3627

Application Number: 10/027,252

Examiner:

Filed: Dec. 21, 2001

RECEIVED

MAR 29 2004

Title: GLIDING DOOR, LATCH MECHANISM AND METHOD

Adjustment date: 05/24/2004 CKHLOK
04/07/2004 AKELLEY 00000001 10027252
02 FC:1999 -610.00

OFFICE OF PETITIONS

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703)305-9382.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay

1. Petition fee

☒ Small entity - fee \$ 665.00 (37 CFR 1.17(I)) Applicant claims small entity status..
See 37 CFR 1.27.

☐ Other than small entity - fee \$ (37 CFR 1.17(I)).

2. Reply and/or fee 55.00 OP
610.00 OP

A. The reply and/or fee to the above-noted Office action in the form of

response to notice of missing parts (identify the type of reply):

- ☐ has been filed previously on _____
☒ is enclosed herewith.

B. The issue fee of \$

☐ has been paid previously on _____
☒ is enclosed herewith.

-665.00 OP

(Page 1 of 3)

This collection of information is required by 37 CFR 1.137(a) The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

03/26/2004 CNGUYEN 00000073 10027252

665.00 OP

01 FC:2453

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

G-166

3. Terminal disclaimer with disclaimer fee

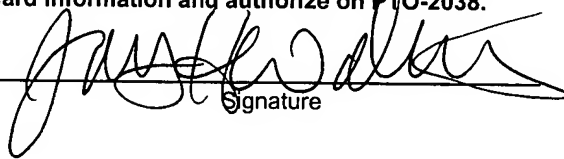
- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity of \$ _____ other than a small entity) disclaiming the required period of time enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorize on PTO-2038.

March 23, 2004

Date



Signature

503-224-0115

Telephone Number:

James H. Walters

Typed or printed name

35,731

Registration Number, if applicable

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Address

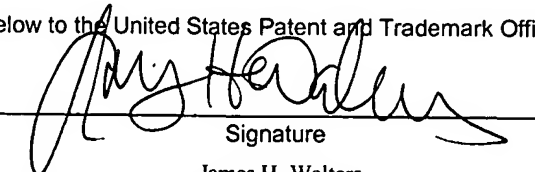
Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unavoidable delay☐ _____**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

March 23, 2004

Date



Signature

James H. Walters

Typed or printed name of person signing certificate

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

March 23, 2004

Date



Signature

35,731

Registration Number, if applicable

James H. Walters

Typed or printed name

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply)

Applicant respectfully requests revival of this application under the unavoidable standard. However, if the Patent Office does not feel that the delay was unavoidable, then in the alternative, please consider this to be a petition to revive under the unintentional standards. Applicant is paying the petition fee herein under the unintentional standard fee. If the petition is granted under the unavoidable standard, please refund the fee difference. Thank you.

The applicant had health issues arise just before the filing deadline of this utility application, and by the time the notice of missing parts was issued, applicant was recovering from open heart surgery that was performed after applicant had a heart attack in November 2001. Because of the struggle to recover from the heart surgery, applicant was unable to devote energy to working. Then in 2003, applicant attempted to begin working again, but was unable to continue that, because the travel involved was difficult. Mid 2003, the applicant injured his eye, which caused further difficulty in dealing with the health issues. The applicant was unable to work or devote attention to projects, as the eye injury repair surgery required applicant to not exert himself, so as to avoid further damage. As the attached letter from the applicant notes these various problems. Applicant is now to a point where he has recovered from these medical setbacks that he is able to attempt to begin projects again, and as such is now attempting to get this patent application back on track. Therefore, it is respectfully submitted that because of the health problems and long difficult recovery, that the delay was unavoidable. Also, the entire delay was unintentional.

Again, in the alternative, applicant would like this petition to be considered under the unintentional standard, if the Patent Office does not grant the unavoidable petition. The entire delay was unintentional. Applicant is submitting herewith a signed declaration as requested by the notice of missing parts, a credit card payment form for \$1115 for the fees as follows: Basic filing fee: \$385, Missing parts Fee \$65, petition for unintentional revival \$665.

Please contact applicant's attorney, if you have questions or if you need further information. Thank you.

(Please attach additional sheets if additional space is necessary)